

APPROVED MINUTES
(APPROVED OCTOBER 3, 2001)

MONTGOMERY COUNTY REDISTRICTING COMMISSION, 2001
WEDNESDAY, SEPTEMBER 19, 2001 AT 7:00 PM

6th Floor Conference Room - Council Office Building
Rockville, MD

COMMISSIONERS PRESENT

Shirley Small-Rougeau, Chair
Bill Sher
Andrew Morton
Steve Berry
Jayne Plank
Harry Lerch
David Davidson
William Roberts

STAFF

Ralph Wilson, Council Staff
Carol Edwards, Council Staff
Pamela Zorich, Planner, Park & Planning
Ed Lattner, County Attorney's Office

COMMISSIONERS ABSENT

Jason Tai

GUESTS

Dale Tibbitts, Citizen PAC
Joy Nurmi, Praisner Office
George Sauer, Republican Central Committee
Peggy Erickson, Dacek Office

The meeting was called to order by the Chair at 7: 10 p.m. The Commission Chair asked the Commissioners and guests to observe a moment of silence in reverence for the victims and families affected by the tragedy in New York and the Pentagon.

The Chair summarized Commission Plans, (B, D, J and K) presented at the public hearing. She discussed the major objections to each Plan which were mentioned by those who testified. Plan J – people who objected to the Plan objected specifically to splitting Olney down Georgia Avenue. Plan K – there no were objections to splitting Olney. Plan K kept Aspen Hill together as did Plan J. Plan B – there was a great deal of discussion about taking Precincts 4-19 and 4-3 out of District 3 and putting them into District 4. Several comments were made and letters were received about splitting Aspen Hill. Plan D - the same thing occurred but this plan removes two precincts 6-3 and 6-5 from District 3 and puts them into District 2.

Public Hearing Testimony (Letters) – Comments

Town of Brookeville Letter - The Commission heard many comments about the Town of Brookeville. Once again the question was posed as to what is Olney and also who represents

Brookeville. The letter from the Town of Brookeville clearly and strongly refutes Mr. Esser's testimony. The Town of Brookeville submitted a letter reflecting strongly that no position was ever taken on any Commission Plan as stated by Mr. Esser in his testimony at the public hearing. The Chair commented that the villages and communities that are represented by the GOCA are very distinct and independent communities and could stand alone if their precinct is divided from what is considered Greater Olney. The Chair also reminded the Commissioners that they also heard Mr. Gordon testify that Precincts 8-8 and 8-4 were also part of Greater Olney. However, Commissioners believe these precincts to be part of Derwood and part of Rockville. The Chair asked that Commissioners take into consideration what was said at the public hearing as well as in the letters and come up with a Plan. She stated that the bottom line is that they need to have a plan that the Council is going to accept. The Chair reminded the Commissioners that they would have failed if we present a plan that the Council has to go back and totally redesign. At this point in the meeting the Chair asked the Commissioners if they had any additional comments about what they heard at the Commission's public hearing.

Commissioner Morton commented on Mr. Esser's testimony about the Town of Brookeville taking up the Redistricting Commission Plans on its agenda. The Olney Chamber of Commerce letter stated that it does not take a position on redistricting although Mr. Esser stated for the record that it has been discussed by the Chamber of Commerce. He noted that both the Town of Brookeville and Olney Chamber of Commerce letters refute Mr. Esser's comments in the record. The Chair reminded the Commissioners that they must be mindful of the type of information people present. As a result of the information presented about Olney, Ms. Rougeau went out and asked questions from officials of other associations to make sure they were not being misled by individuals representing other groups. Ms. Rougeau also stated that she had a letter in her possession at the hearing from GOCA, which listed all its members. Ms. Rougeau spoke with many of them and they basically said the same thing, that Mr. Esser was not representing them.

Approval of August 20th Minutes

The Chair asked if the Commissioners had any changes to the August 20 minutes. No changes or corrections were made. The Commissioners moved and seconded the motion to approve the August 20 minutes as submitted.

Public Comments

The Chair asked for public comments from visitors. Mr. Tibbits submitted a revised list of Civic and Homeowner Associations which are split in the Plans presented at the Commission's public hearing. Mr. Sauer asked about the testimony presented by the representative of the Hispanic Community. Ms. Rougeau stated that as a member of a minority group, and having coalesced with the Hispanic Democratic Club as well as others, that she understood the concern was about the concentration or high numbers of ethnic minorities being split and the possibility of the minority power base being diminished. The Commissioners discussed the testimony by Deloris Milmoie who asked that the Agricultural Preserve area not be split. It was mentioned that Ms. Milmoie had offered to provide the Commission a list showing which areas are included in the Agricultural Reserve. Council Staff, Ralph Wilson stated that he

might have a document which contains that information if anyone is interested. Ms. Rougeau stated that she didn't feel that it would create a negative impact to have the Agricultural Reserve in different districts because most of the farming that still goes on in Montgomery County occurs in a certain area.

Review of Final Plans

Plan B – Plan B will remain as is.

New Plan L – Presented by Commissioners Davidson and Sher.

Commissioner Davidson stated that after the Commission hearing, he and Commissioner Sher looked at all four plans to see what could be done to satisfy most of what they heard. He thought it was necessary to keep the core of Olney together without distorting the variation too much. He felt that Plan K, submitted by Commissioner Berry, came close to doing this but it had a variation of 4.9%. Changes were made to Plan K which resulted in Plan L. Precinct 8-7 was split along Georgia Avenue, because otherwise the connection between Olney and District 2 would be very small. This was done to establish greater continuity.

Precinct 9-7 would be moved back into District 2. They also put precinct 4-23 back into District 1. The Commissioners felt that this seemed to answer all of the desires or as many of the concerns as possible. Precincts 6-3 and 6-5 would be moved back into District 3. Aspen Hill and Manor Lake were moved back into District 4 and Derwood was moved back into District 3. Commissioners Davidson and Sher decided that Plan D would not go forward and withdrew Plan D from consideration. The total variation would be 3 percent. Commissioner Plank expressed an observation that the largest District is District 2 with the most population and the one that is expected to grow.

Commissioner Sher stated that he checked all the supplemental testimony and went through all the specific recommendations and suggested that Plan L conforms to all of those recommendations.

Commissioner Lerch asked what the effect would be if precinct 8-7E were moved into District 2 and suggested that it would seem to answer the concerns of Olney.

Commissioner Morton commented that he would not want to have District 2 be the largest district.

Commissioner Roberts commented that there was no feedback from the public on moving precinct 9-7. He suggested moving precinct 9-7 into District 3 (as Plan K did) which would create a variation of 3.5% and reduce the size of District 2. The entire precinct 8-7 would go back into District 2. Commissioner Berry disagreed with moving these two precincts. He felt that 9-7 should be part of Montgomery Village.

At this point in the meeting there was a lengthy discussion about Montgomery Village and the City of Gaithersburg. Mr. Tibbits also offered a new strategy and Park and Planning

Staff, Pamela Zorich manipulated the Plan maps to show the effects of Mr. Tibbitts suggestions. It was unanimously agreed that the Council would not approve the suggested changes made by Mr. Tibbitts.

Plan L (Continued discussion)

Commissioner Morton commented again that District 2 should not be the largest district. He asked if there could be a consensus to amend the Plan to move precinct 9-7 to bring the population down. Mr. Berry stated that maybe a slightly larger District 2 is the price to have to pay.

Commissioner Sher suggested that the Commission should look further at the impact of the proposal to move precincts 9-7 and 8-7 back to District 3. He suggested that Plans K and L should be brought back to the October 3 meeting. Mr. Roberts suggested that the Commission ask Pam Zorich to prepare a new Plan M. Plan M would take Plan L and move precinct 9-7 to District 3, and to generate a new Plan N but with the addition of moving precinct 8-7E back to District 2. The Commissioners decided to keep Plan L on the table and generate new Plans M, N and O for the next meeting.

The Chair restated that the Commissioners should expect to agree on a Plan at the October 3 meeting.

Other Business

The Commissioners pointed out that there were names misspelled and some other discrepancies in the Commission's public hearing transcript. Council Staff will see that these issues are resolved for the record.

A motion was made and seconded to adjourn the meeting. The meeting adjourned at 8:40 p.m.